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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

Arizona Corporation Commission

DOCKETED

AUG 28 2007

MIKE GLEASON, Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
KRISTIN K. MAYES
GARY PIERCE

DOCKETED BY

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IN THE MATTER OF THE APPLICATION OF
VALLEY WEST PAYPHONE, INC. FOR THE
CANCELLATION OF THE CERTIFICATE OF
CONVENIENCE AND NECESSITY TO PROVIDE
CUSTOMER-OWNED PAY TELEPHONE
SERVICE IN THE STATE OF ARIZONA.

DOCKET NO. T-02907A-03-0049

DECISION NO. 69897ORDER

Open Meeting
August 21 and 22, 2007
Phoenix, Arizona

BY THE COMMISSION:

Having considered the entire record herein and being fully advised in the premises, the Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

FINDINGS OF FACT

1. Valley West Payphone, Inc. ("Applicant") has a Certificate of Convenience and Necessity ("Certificate") to provide customer-owned pay telephone ("COPT") service in the State of Arizona pursuant to Decision No. 59204 (August 8, 1996).

2. On January 24, 2003, Applicant filed with the Commission an application for the cancellation of the Certificate, indicating that it no longer provides COPT service in the State of Arizona.

3. On July 5, 2007, the Commission's Utilities Division Staff ("Staff") filed a Staff Report, recommending approval of the application to cancel Applicant's Certificate.

4. The Staff Report indicated that Applicant had not waived its right to a hearing. A Telephonic Procedural Conference was held in this matter on July 20, 2007. Applicant appeared through its President, R. Clark Tilley, and Staff appeared through counsel. Mr. Tilley indicated that he did not wish to have a hearing on the application.

CONCLUSIONS OF LAW

1. Applicant is a public service corporation within the meaning of Article XV of the Arizona Constitution and A.R.S. §§ 40-281 and 40-282.

2. The Commission has jurisdiction over Applicant and the subject matter of the application.

3. The cancellation of Applicant's Certificate is in the public interest.

4. Pursuant to A.R.S. § 40-282, the Commission may issue Decisions regarding COPT Certificates without a hearing.

5. Staff's recommendation in Findings of Fact No. 3 is reasonable and should be adopted.

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ORDER

IT IS THEREFORE ORDERED that the application of Valley West Payphone, Inc. for the cancellation of its Certificate of Convenience and Necessity to provide customer-owned pay telephone service shall be, and is hereby, approved.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

Lawrence J. McLean
CHAIRMAN

William J. Miller
COMMISSIONER

Jeffrey M. Hatch-Miller
COMMISSIONER

R. V. [Signature]
COMMISSIONER

Gary [Signature]
COMMISSIONER

IN WITNESS WHEREOF, I, DEAN S. MILLER, Interim Executive Director of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this 28 day of August, 2007.

Dean S. Miller
DEAN S. MILLER
INTERIM EXECUTIVE DIRECTOR

DISSENT _____

DISSENT _____

TW:db

SERVICE LIST FOR:

VALLEY WEST PAYPHONE, INC.

DOCKET NO.:

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